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OLC 71-2077

1 December 1971

MEMORANDUM FOR THE RECORD

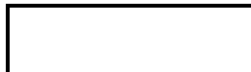
SUBJECT: Appointment of DDCI

1. This morning Ed Braswell, Chief Counsel, Senate Armed Services Committee, called to ask if we had any word on General Cushman's successor. I said I certainly had none, and wasn't sure whether we would be consulted. I said I had no idea whether the Director had been involved in discussions on the matter, but I noted that the Administration in such matters played its cards close to its chest, and that neither the Agency nor the congressional leadership had been consulted on certain changes in the intelligence community announced recently.

2. Mr. Braswell asked whether consideration had been given to a civilian. I said I knew nothing authoritative. I said it seemed to me if we were to have a civilian Deputy Director, now would be a good time to raise the issue. I recalled that in the past there had been a feeling on the Hill that if the Director was a civilian the Deputy should be military. I said I would be glad to raise the matter with the Director but I doubted if I would have a chance to do so immediately. I said it seemed to me, on the basis of the past record to date, it was doubtful the Administration would consult anybody, either here or on the Hill. Mr. Braswell fully agreed, remarking that the trouble was "they think they are winning."

3. Mr. Braswell said he didn't know what the right thing to do would be in present circumstances. I commented we had been particularly lucky to have General Cushman as a Deputy but the Director was not in the habit of using his Deputy as a complete alter ego.

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4. Mr. Braswell asked if we had "any other qualified people" to fill that job. I said I thought we did and mentioned Bill Colby as an example. I also said there might be qualified civilians outside the Agency but I didn't know who they were. Mr. Braswell said it might be helpful if the candidate had good political connections, but it would be unfortunate if it appeared a political appointment. However, he said this might not be important since the Deputy really was not a "front man."

5. Later I talked with Mr. Braswell and told him I had spoken to the Director of our earlier conversation and that the Director wanted me to make it very clear that the appointment of a Deputy Director was the President's prerogative and the Director had no information on the subject. However, I said the Director was concerned to head off any political controversy that the announcement of a candidate might produce and therefore felt that if Senator Stennis had any strong feelings on the subject it might be well for the Senator to make them known to the appropriate people at an early date. Mr. Braswell said he agreed with this point and would convey it to Senator Stennis at the first opportunity.

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JOHN M. MAURY
Legislative Counsel

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